

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

FUISZ PHARMA LLC, )  
Plaintiff, )  
v. ) Civ. No. 11-1061-SLR/CJB  
THERANOS, INC., )  
Defendant. )

## ORDER

At Wilmington this 7<sup>th</sup> day of June, 2012, having considered the Report and  
Recommendation of United States Magistrate Judge Christopher J. Burke issued on  
May 18, 2012, and upon the expiration of the time allowed for objections pursuant to  
Rule 72 of the Federal Rules of Civil Procedure with no objection having been filed;

**IT IS ORDERED that:**

1. Magistrate Judge Burke's Report and Recommendation (D.I. 31) is accepted.
2. Defendants' motion to dismiss, stay or transfer (D.I. 14) is granted in part.
3. The Clerk of Court is directed to transfer this case to the United States District

Court for the Northern District of California.

Mark L. Johnson  
United States District Judge